

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

NO. 15-4439

UNITED STATES OF AMERICA,

v.

JAMES PRESSLEY

UNOPPOSED MOTION OF APPELLANT
FOR 14 DAY ENLARGEMENT OF TIME
TO FILE OPENING BRIEF
AND JOINT APPENDIX

Appellant James Pressley, through undersigned counsel, respectfully moves the Court for a 14-day enlargement of time in which the Appellant may file his opening brief and joint appendix. The United States does not oppose this extension. In support of this motion, undersigned counsel shows the Court the following:

1. The opening brief and joint appendix are currently due on 4 January 2016.
2. As of the date of this filing, the undersigned does not believe that she can complete the opening brief and joint appendix for the following reasons:
3. Appellant appeals from a 13-count conviction in the trial court that followed the 8-day jury trial of Appellant and one

co-defendant. The court sentenced the defendant to life in prison.

4. The trial and sentencing materials are voluminous. There are multiple assignments of error that will be addressed in the opening brief.

5. Accordingly, the joint appendix will likewise be more extensive than in the average case, and may include materials that depart from the usual case on appeal.

6. Counsel has previously attempted to communicate with opposing counsel to reach agreement on the contents of the joint appendix.

7. However, in light of the Christmas and New Years holiday, counsel for the government has been on leave and counsel for both parties have been unable to communicate to reach agreement on the contents of the joint appendix.

8. Counsel for the government will return from leave on 4 January 2016, at which time the undersigned is confident the litigants will communicate regarding the contents of the joint appendix.

9. The requested extension of time is made in good faith and not for the purpose of delay. The time for making this motion has not yet expired.

10. Undersigned counsel has confirmed that government counsel does not oppose the extension requested herein.

WHEREFORE, the Appellant respectfully requests a 14-day enlargement of time in which to file the opening brief and joint appendix.

Respectfully submitted this 31st day of December 2015.

THE SALMON LAW FIRM, LLP.

/s/ Elisa Cyre Salmon

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing was electronically filed via CM/ECF, which will deliver notice to the following CM/ECF users:

Jennifer May-Parker
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This is the 31st day of December 2015.

THE SALMON LAW FIRM, LLP.

/s/ Elisa Cyre Salmon

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